

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MARK A. DAVIS,

Plaintiff,

v.

CASE NO: 10-10398-DT

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

This matter was referred to United States Magistrate Judge Charles E, Binder pursuant to 28 U.S.C. §636(b)(1)(B) and Local Rule 72.1. The magistrate judge issued his report on January 6, 2011, recommending that Plaintiff's complaint be dismissed with prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. No objections have been filed pursuant to 28 U.S.C. 636(b)(1)(C).

Having reviewed the file and the report, the court concludes that the findings and conclusions of the Magistrate Judge are correct and ADOPTS the same for purposes of this Order.

IT IS ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, the complaint is DISMISSED with prejudice.

IT IS SO ORDERED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: January 31, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, January 31, 2011, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522